

DC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**DALLAS BUYERS CLUB, LLC.**  
**Plaintiff**

**CASE NUMBER: 14-CV-2302**

**V.**

**ASSIGNED JUDGE: Gary Feinerman**

**CAROL WALTERS, JOSH WATERMAN,  
YASMIN PATEL, DEBORAH ROMAN,  
PATRICK CURTH, SAM MATE, AND  
ROXANNE BENNETT,  
Defendants**

**DESIGNATED**

**MAGISTRATE JUDGE: Sidney I. Schenkier**

**FILED**

**OCT 28 2014**

**To:** (Name and address of Defendant)

**Carol Walters  
3804 N Oleander Avenue  
Chicago, IL 60634**

**THOMAS G BRUTON  
CLERK, U S DISTRICT COURT**

**ANSWER TO SUMMONS TO PLAINTIFF'S ATTORNEY**

**Michael A. Hierl  
Hughes Socol Piers Resnick & Dym, Ltd.  
70 W. Madison St., Suite 4000  
Chicago, IL 60602**

**Defendant Carol Walters Answers as follows and will be referred to as the defendant.**

**JURISDICTION AND VENUE**

1. The defendant did not copyright infringe on Plaintiff's Dallas Buyers Club motion picture. There was no unauthorized acquisition or transfer by the defendant of the motion picture Dallas Buyers Club.
2. The defendant has no knowledge of the awards received by Dallas Buyers Club as she has not seen the movie nor has any desire to see the movie because she does not like the lead actor Matthew McConaughey. Further, the defendant has paid accounts with Amazon Prime, Netflix, Hulu Plus, and Cable with premium movie channels. The defendant has no need, much less desire, to acquire illegally Dallas Buyers Club.
3. Not applicable
4. The defendant did not use a Bit Torrent protocol or share any file with a torrent network. The defendant did not seed Dallas Buyers Club. The defendant did not participate in any swarm. The defendant has not downloaded or uploaded in whole or in part any illegal transferred file of Dallas Buyers Club.
5. As stated above the defendant did not steal the Plaintiff's copyrighted material Dallas Buyers Club.
6. The defendant did not reproduce, distribute, or offer to distribute among other defendants or anyone else over the internet the copyrighted Dallas Buyers Club. Further the defendant uses a wireless network and at the time of this infringement the network she used was not password protected. The defendant has learned that anyone within range could have accessed her wireless network and her IP address. The defendant has remedied this access by acquiring and paying monthly her cable provider for a wireless router owned by the cable company that is password protected.
7. The defendant did not download copyrighted content from or upload copyrighted content to Illinois residents located in this District and did not commit this tortious act.
8. The defendant did not commit these acts of infringement complained of herein.

#### THE PARTIES

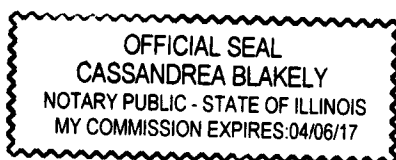
9. The defendant did not copy and/or distribute to others over the internet unauthorized copies of Plaintiff's Dallas Buyers Club.
10. The defendant did not unlawfully distribute over the internet Plaintiff's motion picture.
11. As stated in Answer 6 the defendant had open wireless network which would allow any person within range to the defendant's wireless network and IP address.
12. The defendant works with highly sensitive and confidential information. This particular week was even more demanding as she was transmitting payroll information for the 700+ employees she cares for. The defendant understands the important nature of her position and would see that she is well rested for her work. As this was a work night at 1:10am the defendant would have been receiving said rest required for her duties.
13. Not applicable
14. Not applicable
15. Not applicable
16. Not applicable

- 17. Not applicable
- 18. Not applicable

**COUNT 1**  
**COPYRIGHT INFRINGEMENT**

- 19. The defendant has committed no such infringement of Plaintiff as alleged hereunder for the copyrighted motion picture and/or derivative works.
- 20. The defendant has no knowledge of copyright notice as the defendant has not seen the movie Dallas Buyers Club.
- 21. The defendant has not used nor continues to use online media distribution system to reproduce and distribute to the public or anyone else the copyrighted motion picture Dallas Buyers Club. Further, the defendant will willingly submit her laptop to Plaintiff's attorneys for a complete forensic evaluation if necessary.
- 22. The defendant did not participate in a swarm and/or reproduce and or distribute the same seed file of Plaintiff's copyrighted motion picture Dallas Buyers Club in digital form with other defendants or anyone. The defendant did not participate in a collective and interdependent manner with other defendants or anyone via the internet for unlawful purposes of reproducing, exchanging and distributing copyrighted material unique to the swarm.
- 23. The defendant did not participate in said swarm. Therefore, was not a participant in the same or any transaction, occurrence or series of transactions or occurrences as other defendants or anyone else in the swarm. The defendant has not been involved in infringement as a collective enterprise of shared and overlapping facts. The defendant has not been willful, intentional, and in disregard of or with indifference to the copyrights of Plaintiff's Dallas Buyers Club.
- 24. The defendant has committed no such infringement of Plaintiff's exclusive rights under copyright.
- 25. The defendant has not nor will she cause Plaintiff great or irreparable injury. The defendant has not infringed on Plaintiff's copyrighted motion picture Dallas Buyers Club and has no copies of said motion picture to destroy that were made in violation of said copyright.

*Caryl Walker* 10/23/14



*Cassandra Blakely* 10/23/14